

AMENDED IN SENATE AUGUST 17, 1999

AMENDED IN ASSEMBLY JUNE 2, 1999

AMENDED IN ASSEMBLY MAY 28, 1999

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

## ASSEMBLY BILL

**No. 750**

**Introduced by Assembly Member Dutra**  
**(Coauthors: Assembly Members Aanestad and Cunneen),**  
***Cunneen, and Kuehl***  
**(Coauthors: Senators Burton and Figueroa)**

February 24, 1999

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An act to add *and repeal* Chapter 2 (commencing with Section 104335) ~~to~~ *of* Part 2 of Division 103 of the Health and Safety Code, ~~and to add Section 1463.15 to the Penal Code,~~ relating to spinal cord injury, and making an appropriation therefor.

### LEGISLATIVE COUNSEL'S DIGEST

AB 750, as amended, Dutra. Spinal cord injury.

Existing law establishes various health research grant programs.

This bill would establish the Spinal Cord Injury Research Fund for the award of grants to conduct basic neurological research into the cure for spinal cord injuries and their effects. This bill would continuously appropriate the fund to the

University of California to administer the grants. *This program would be operative until January 1, 2006.*

~~Under existing law, fines, penalties, and forfeitures are imposed by the courts for violations of traffic laws, and are deposited with the county treasurer for distribution in accordance with certain procedures.~~

~~This bill would require an additional penalty in the amount of \$5 to be levied upon every fine, penalty, or forfeiture imposed and collected for violations of certain traffic laws. This bill would authorize a city council or county board of supervisors to adopt an ordinance to provide expressly that the additional penalty shall not be imposed within that city, county, or city and county. This bill would require that those amounts be deposited with the county treasurer and distributed each month in accordance with existing procedures for transfer to the Spinal Cord Injury Research Fund.~~

~~By imposing new duties upon local courts and county treasurers, this bill would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

*This bill would appropriate \$16,000,000 from the General Fund to the Spinal Cord Injury Research Fund for the purposes of this bill for each year during which the program is operative.*

Vote: <sup>2</sup>/<sub>3</sub>. Appropriation: yes. Fiscal committee: yes. State-mandated local program: *yes-no*.

*The people of the State of California do enact as follows:*

SECTION 1. The Legislature finds and declares all of the following:

(a) (1) There are approximately 35,000 spinal cord injured persons residing in this state. Spinal cord injury is a condition that leaves individuals paralyzed and afflicts 250,000 Americans.

(2) The care of the 17,000 chronic spinal cord injured quadriplegics alone costs the State of California three hundred forty million dollars (\$340,000,000) annually.

(3) Spinal cord injury has serious physical, emotional, financial, and social consequences for its victims and their families.

(4) There is no established treatment that can cure spinal cord injury.

(5) If cures are found for spinal cord injuries the incidence of quadriplegia will be greatly reduced.

(6) Cures for spinal cord injuries are on the threshold of being discovered.

(b) (1) Research is the primary hope for victims and their families.

(2) Research in spinal cord injury has produced experimental results that are of potential value in facilitating or effecting a restoration of function in damaged spinal cords.

(c) Despite the need to make progress toward treatments or cures for spinal cord injury, there is a lack of sufficient resources in California's postsecondary educational institutions to sustain recent scientific progress with respect to this condition. It is the intent of the Legislature to encourage and support research that has as one of its goals the discovery of methods to restore spinal cord function in humans with spinal cord injury.

(d) (1) The care and rehabilitation of acute, or newly injured, spinal cord injury victims cost the State of California sixty million dollars (\$60,000,000) annually.

(2) Experimental treatments or techniques are currently under investigation, and these treatments may be of potential value in facilitating or effecting a

1 restoration of function in damaged spinal cords if applied  
2 to humans within the first few hours after injury.

3 (3) Progress has been made in chronic spinal cord  
4 injury research including the discovery of molecules that  
5 promote the growth of chronically injured spinal cord  
6 cells involved in movement and sensation. Genes that  
7 control regeneration of chronically damaged spinal  
8 nerves and chemicals for activating those genes have  
9 been discovered. Substances that inhibit growth in the  
10 spinal cord have been discovered and antibodies to those  
11 inhibitors have been developed. These discoveries may  
12 pave the way for significant regeneration of the spinal  
13 cord.

14 SEC. 2. Chapter 2 (commencing with Section 104335)  
15 is added to Part 2 of Division 103 of the Health and Safety  
16 Code, to read:

17  
18 CHAPTER 2. ROMAN REED SPINAL CORD INJURY  
19 RESEARCH ACT OF 1999  
20

21 104335. This chapter shall be known and may be cited  
22 as the Roman Reed Spinal Cord Injury Research Act of  
23 1999.

24 104336. (a) There is hereby established a Spinal Cord  
25 Injury Research Fund. Notwithstanding Section 13340 of  
26 the Government Code, the fund is continuously  
27 appropriated to the University of California for the  
28 purposes of this chapter.

29 (b) The fund shall consist of money accepted by the  
30 University of California from grants and donations from  
31 private entities as well as public moneys transferred to  
32 the fund.

33 (c) Notwithstanding any other provision of law,  
34 money remaining in the fund at the end of a fiscal year  
35 shall not revert to the General Fund.

36 104337. The fund established pursuant to Section  
37 104336 may be expended by the University of California  
38 for the award of grants to perform spinal cord injury  
39 research projects.

1 104338. (a) There is hereby created within the  
2 University of California the Spinal Cord Injury Research  
3 Program.

4 (b) The program shall promote spinal cord injury  
5 research in California as described in Section 104337.

6 (c) The University of California may establish  
7 scientific guidelines and rules and regulations as  
8 necessary for implementation of this chapter.

9 104339. This chapter shall not apply to the University  
10 of California unless the Regents of the University of  
11 California, by appropriate resolution, make these  
12 provisions applicable.

13 ~~SEC. 3. Section 1463.15 is added to the Penal Code, to~~  
14 ~~read:~~

15 ~~1463.15. (a) There shall be levied an additional~~  
16 ~~penalty in an amount equal to five dollars (\$5) upon~~  
17 ~~every fine, penalty, or forfeiture imposed and collected~~  
18 ~~by any court on all offenses involving a violation of any~~  
19 ~~provision of Division 11 (commencing with Section~~  
20 ~~21000) of the Vehicle Code, or a violation of any local~~  
21 ~~ordinance adopted pursuant to the Vehicle Code, except~~  
22 ~~offenses relating to parking.~~

23 ~~(b) Notwithstanding subdivision (a), a city council or~~  
24 ~~county board of supervisors may adopt an ordinance that~~  
25 ~~expressly provides that the additional penalty imposed~~  
26 ~~pursuant to subdivision (a) shall not be imposed for~~  
27 ~~offenses committed within the jurisdiction of that city,~~  
28 ~~county, or city and county, and in that event, the~~  
29 ~~additional penalty shall not be imposed or collected~~  
30 ~~within that jurisdiction.~~

31 ~~(c) Penalties imposed and collected pursuant to this~~  
32 ~~section shall be deposited with the county treasurer and~~  
33 ~~distributed each month in accordance with Section~~  
34 ~~1463.001 for transfer to the Spinal Cord Injury Research~~  
35 ~~Fund created pursuant to Section 104335 of the Health~~  
36 ~~and Safety Code.~~

37 ~~SEC. 4. Notwithstanding Section 17610 of the~~  
38 ~~Government Code, if the Commission on State Mandates~~  
39 ~~determines that this act contains costs mandated by the~~  
40 ~~state, reimbursement to local agencies and school~~

~~districts for those costs shall be made pursuant to Part 7  
(commencing with Section 17500) of Division 4 of Title  
2 of the Government Code. If the statewide cost of the  
claim for reimbursement does not exceed one million  
dollars (\$1,000,000), reimbursement shall be made from  
the State Mandates Claims Fund.~~

*104339.5. This chapter shall remain in effect only until  
January 1, 2006, and as of that date is repealed, unless a  
later enacted statute, that is enacted before January 1,  
2006, deletes or extends that date.*

*SEC. 3. There is hereby continuously appropriated,  
without regard to fiscal year, from the General Fund to  
the Spinal Cord Injury Research Fund, the amount of  
sixteen million dollars (\$16,000,000) for each fiscal year  
during which Chapter 2 (commencing with Section  
104335) of Part 2 of Division 103 of the Health and Safety  
Code is operative.*